

March 11, 2008

One North Capitol, Suite 700  
Indianapolis, Indiana 46204  
Tel 317.232.8800  
Fax 317.232.4146  
[www.AccelerateIndiana.com](http://www.AccelerateIndiana.com)

Lea Ellingwood  
Legal Division  
Indiana Gaming Commission

Dear Ms. Ellingwood:

Pursuant to IC 4-22-2-28, the Indiana Economic Development Corporation ("IEDC") has reviewed the economic impact analysis associated with LSA Document #07-784 proposed by the Indiana Gaming Commission ("IGC"). The proposed rule temporarily amends 68 IAC 21 concerning the conduct of charity gaming activities by qualified organizations licensed by the IGC and amends provisions regarding filing of financial reports. The proposed rule also makes numerous technical changes and numerous changes in the rules concerning activities allowed under charity gaming licenses. The proposed rule amends 68 IAC 21-3-1 to create a new allowable event and amends 68 IAC 21-3-2 to create deadlines for notice publication and protest letters. Entities affected by the rule changes include organizations authorized under IC 4-32.2 to conduct charity gaming events. The IGC charity gaming database currently consists of 2,666 such entities. Although it is unclear whether any or all of these entities should be classified as small businesses based on their not-for-profit status, the IGC has assumed that all entities are small businesses for the purposed of this impact statement.

The IGC estimates that the net effect of the provisions contained in the proposed rule will be an overall reduction in costs for affected entities. The proposed rule extends the period that qualified entities must maintain documents associated with allowable charity gaming events from four years to five years. Over 90% of entities surveyed about the effects of this provision indicated that this provision would not lead to any increase in costs for their organization. The remaining entities surveyed indicated that any incremental costs would be negligible or that they were unable to determine the amount of a potential cost increase.

The proposed rule also states that a qualified organization operating under an annual charity gaming license will be required to submit financial statements on an annual basis rather than quarterly as required under the current rules. This change is anticipated to result in costs savings of approximately \$400 per affected entity based on a reduction in administrative burden associated with moving from quarterly to annual filing. There are 931 entities operating under an annual charity gaming license. However, approximately 30% of these entities use volunteers to satisfy their charity gaming reporting requirements. These entities will not realize any direct cost savings since they will merely need fewer volunteers to carry out their reporting requirements.

The proposed rule also states that if a period of at least five (5) years elapses between the dates on which a qualified organization lawfully conducts a particular allowable event, the license for conducting that particular allowable event for the first time following the five (5) year period shall be considered an initial license for purposes of IC 4-32.2-6-3 and this rule. This provision is expected to lead to cost savings for affected entities in some cases. Under existing rules, the fee for a license as described above would be based on a renewal schedule featuring a graduated fee scale. Anticipated savings associated with this provision of the rule are expected to exceed \$90,000 overall.

The remaining provisions of the proposed rule are not expected to lead to a significant increase in costs for small business. The IGC estimates that the collective effect of all the provisions contained in the rule will be a net cost savings for affected businesses. The IEDC does not object to the economic impact contained in the proposed rule changes. If you have any questions about the comments contained herein please contact me at 232-8962 or [rasberry@iedc.in.gov](mailto:rasberry@iedc.in.gov).

Regards,

A handwritten signature in black ink, appearing to read "Ryan Asberry", with a long horizontal flourish extending to the right.

Ryan Asberry  
Assistant Vice President  
Indiana Economic Development Corporation